
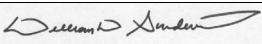
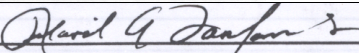


STATE OF MARYLAND  
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES  
DIVISION OF CORRECTION

 DIVISION OF CORRECTION DIRECTIVE	<b>PROGRAM:</b>	<b>CUSTODY AND SECURITY</b>		
	<b>DCD #:</b>	<b>110-6</b>		
	<b>TITLE:</b>	<b>Disciplinary Segregation</b>		
	<b>ISSUED:</b>	<b>October 1, 1995</b>		
	<b>AUTHORITY:</b>		<b>PROGRAM DIRECTOR</b>	
	<b>APPROVED:</b>		<b>COMMISSIONER</b>	

I. References: Classification/Case Management DCD 100 series, DCDs 105-1, 105-2, 110-3, 110-5, 110-12, 110-22, 130-100 Sect., 114, 130-2, 135-3, 160-1, 175-2, 185-1, 195-1, Inmate Property and Clothing DCD 220 Series, and 250-1

Bundy v. Cannon, 328 F. Supp. 165 (1971), 453 F. Supp. 856 (1978), 583 F. Supp. 410, (Revised Appendix, July 1982)

Maryland's Correctional Education Action Plan

II. Applicable to: All institutions and BCF, excluding MCAC and all other MCPRS facilities

III. Purpose: To establish policy and procedures regarding the conditions of confinement, restrictions, and management of inmates on disciplinary segregation status.

IV. Definitions:

A. Disciplinary segregation – a restricted status requiring separation of an inmate from the general population and placement on special confinement housing – “S” housing.

B. Disciplinary segregation sentence – a sanction imposed on an inmate after having been found guilty at an adjustment hearing of violating an institutional rule. The purpose of such a sanction shall be to aid in the maintenance of order, discipline, and security within the facility, to punish the offender, and to deter future misbehavior.

C. Multilevel Plan – an optional method for managing inmates by allowing them certain privileges progressively, in accordance with their adjustment histories. All multilevel plans shall be approved by the Commissioner or designee prior to implementation.

V. Policy: It is the policy of the Division of Correction to provide uniform living conditions and restrictions for all inmates assigned to disciplinary segregation. A multilevel plan may be developed by each facility to manage inmates on disciplinary segregation based on their adjustment histories.

VI. Procedure:

A. Supervision:

1. A shift supervisor shall inspect the segregation housing area at least once on each shift. A logbook entry shall be made noting the findings of the inspection.
2. Upon the inmate's placement on disciplinary segregation, correctional officers shall establish and maintain a Record of Segregation Confinement (DC Form 110-5aR) for each inmate housed on disciplinary segregation. At the end of each month, or when the inmate is removed from disciplinary segregation, the officer assigned to the segregation housing area shall forward the completed form to the case management department for placement in section IV of the inmate's base file.

B. Housing:

Inmates on disciplinary segregation may be housed in double cells unless security considerations based on the inmate's behavior dictate single celling.

C. Movement:

1. Inmates shall be handcuffed whenever they are out of their cells. The only exceptions to this requirement are in an emergency, while the inmate is showering, for medical reasons which shall be documented in writing, or when authorized by the warden or shift commander. Where cell door physical features allow, inmates shall be handcuffed prior to the cell door being opened to allow them to exit their cell.
2. Inmates shall be escorted by custody staff whenever they leave the disciplinary segregation housing area.
3. Inmates shall be handcuffed behind the back at all times during escort and during such activities as hearings and interviews.
4. Inmates may be handcuffed in the front, as determined by the warden or shift commander, on a case by case basis. Handcuffing in the front may be allowed during out of cell activity periods, visits, special education classes, while being examined during sick call, or when

receiving medical/dental treatment, when it has been determined necessary by the medical provider.

5. These restrictions shall apply to an inmate placed on administrative segregation pending adjustment action, as well as to an inmate serving a disciplinary segregation sentence.
6. The use of restraint devices for an inmate during transport shall be in accordance with the provisions of DCD 110-12.

D. Hygiene:

Inmates shall be permitted the opportunity for:

1. at least twice weekly showers;
2. at least a weekly change of bed linen; and
3. a monthly haircut.

E. Property:

1. Inmates will be allowed to have personal property in accordance with the provisions of inmate property and clothing DCDs, and institutional directives. However, inmates shall not be permitted to have personal televisions, radios, tape or CD players, or typewriters/word processors.
2. An inmate may be denied items of property as a result of the following:
  - a. a sanction imposed after having been found guilty at an adjustment hearing, or
  - b. a temporary restriction, the details of which shall be documented in writing and authorized by the shift commander.
3. Property items removed for safety and security reasons shall be inventoried, placed in a secure area, and handled in accordance with DCDs and institutional directives on inmate property and clothing.

F. Clothing:

Inmates shall wear clothing in accordance with institutional directives on inmate property and clothing. Inmates shall be restricted to wear high visibility jumpsuits and other clothing as approved by the warden.

## G. Packages:

Inmates shall not be allowed to receive packages while on disciplinary segregation.

## H. Out of Cell Activity:

1. Each warden shall implement an institutional directive which provides regular opportunity for supervised out of cell activity periods. Where practicable, such opportunities shall be scheduled for at least five days per week for one hour per day unless a different period of time is required under judicial consent decrees, orders, or agreements.
2. Regular out of cell activity periods shall be available except when institutional exigencies or inmate misconduct preclude such a regimen. Exceptions shall be authorized by the shift commander and documented in writing on the Record of Segregation Confinement (DC Form 110-5aR).

## I. Health Care:

1. Inmates shall be provided medical/mental health and dental care consistent with DCDs on health care services.
2. Physician-prescribed medication shall be delivered and dispensed to the inmate by the medical provider pursuant to the current medical contract.

## J. Case Management:

1. Inmates shall be provided with case management services consistent with classification/case management DCDs.
2. At the time of his/her assignment to disciplinary segregation an inmate shall be removed from any job or program assignment. This removal shall be automatic and no case management team action is required. OBSCIS I, Screen 13, Maintain Program Assignment and Termination Data shall be updated within 5 days of the inmate's assignment to disciplinary segregation.

## K. Education:

Inmates shall have access to extension education services as provided by the Maryland State Department of Education. Inmates who are eligible for special education services shall receive those services in accordance with Maryland's Correctional Education Action Plan and DCD 135-3.

L. Library:

Inmates shall have access to selected library services as provided by the Maryland State Department of Education.

M. Legal:

1. Inmates shall have access to legal reference materials in accordance with Division policy and institutional procedures.
2. The procedure for the use of the telephone for legal matters shall be the same as for the general population.
3. Inmates shall be afforded controlled access to a tape player for a limited period of time to review their court proceedings, provided a written transcript is not available.

N. Visits:

1. Visiting privileges shall be in accordance with the provisions of DCD 195-1 and institutional directives.
2. An inmate shall have no more than one visit per week.
3. Direct observation of inmates during visits is required. The use of a separate, non contact visiting area shall be utilized where possible.
4. An inmate's visits may be further restricted due to poor behavior as determined by the warden or designee. Such restrictions shall be documented in writing, with a copy placed in the base file.

O. Religion:

Inmates shall have access to a chaplain and may worship in their cells. Congregate religious services will not be provided.

P. Food:

Inmates shall be fed in their cells. The diet shall be consistent with the Division's approved menu plan.

Q. Mail:

Inmates shall be permitted to send and receive mail consistent with the provisions and restrictions of DCD 250-1 and institutional directives.

## R. Commissary:

1. Inmates shall be permitted to purchase commissary items in accordance with Division policy and institutional directives.
2. Indigent inmates shall be permitted to obtain welfare commissary in accordance with the provisions of DCD 175-2.

## S. Sanitation:

Inmates shall be required to clean their cells at least once a week.

## T. Use of Telephone:

Use of the telephone shall be in accordance with DCD 110-22 and institutional directives.

## U. Release from Segregation:

1. An inmate shall be released from segregation as soon as administratively possible:
  - a. following the completion of an adjustment hearing which results in a finding of
    - (1) not guilty
    - (2) case dismissed,
    - (3) reduction to an incident report,
    - (4) segregation time served, or
  - b. after having completed serving a disciplinary segregation sentence, or
  - c. after the warden or designee authorizes removal, and
  - d. providing there are no additional notices of infractions pending
2. An inmate who has completed serving a disciplinary segregation sentence shall be released not later than 12 hours after the segregation sentence has expired, or as soon as a bed becomes available.
3. An inmate's release date from disciplinary segregation shall not be altered as a result of time spent out of the facility's segregation unit except under circumstances described in section VI. V. of this DCD.

- V. Medical or Mental Health Transfers:
1. When an inmate is transferred to a mental health unit, infirmary, or hospital, his/her segregation sentence shall be held in abeyance from the date of the transfer.
  2. When an inmate is returned from a mental health unit, infirmary, or hospital, he/she shall begin or resume serving any disciplinary segregation sentence for which he/she is obligated to serve, from the date of return.
  3. The warden or designee has discretion to reduce or suspend, wholly or in part, an inmate's segregation sentence under these circumstances following release from a mental health unit, infirmary, or hospital. Such actions shall be documented in the inmate's base file.
- W. Each warden shall issue an institutional directive to implement and comply with this DCD.

VII. Attachments: None

VIII. Rescission: DCD 110-6, September 1, 1980

Distribution:

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